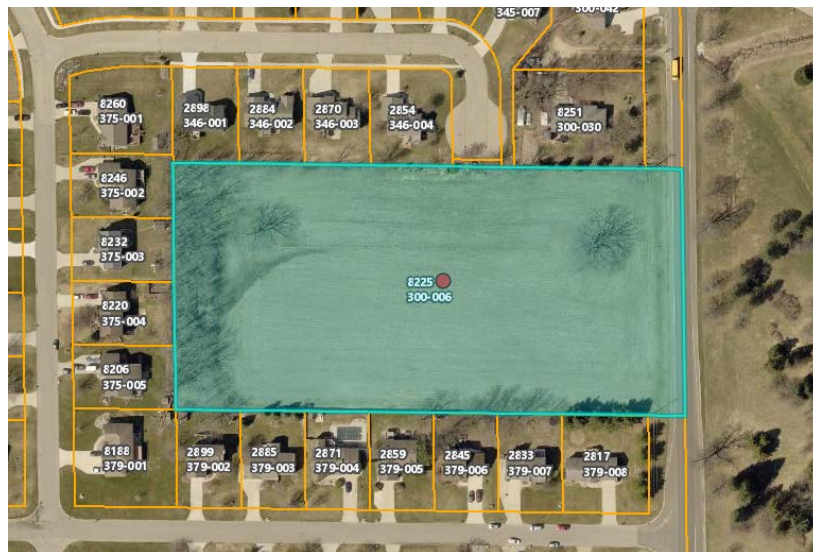
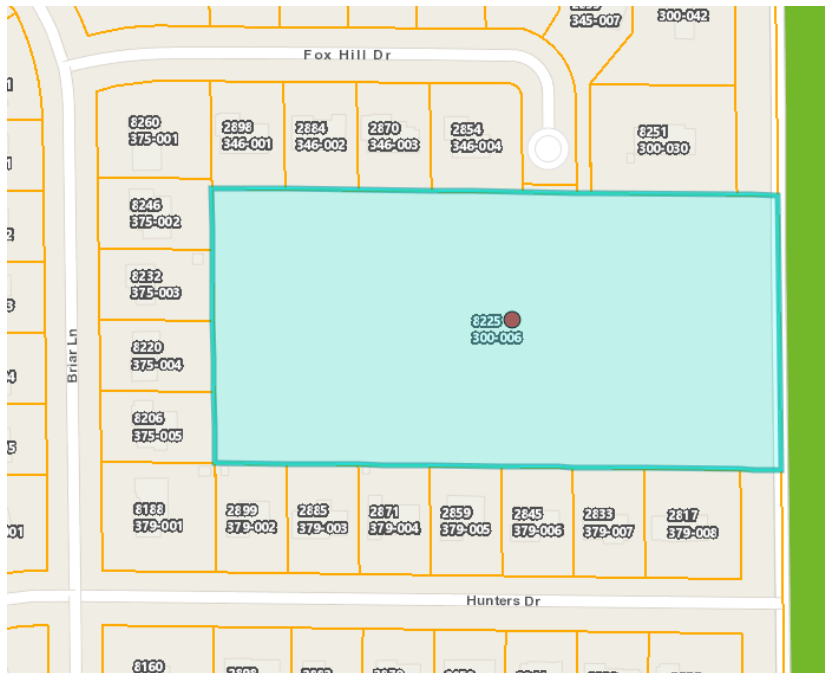


REQUEST

(REZ1905) Ordinance 2019-06 To change from (RR) Rural Residential to (LMR) Low/Medium Density Residential a parcel of land described as P.P. # 70-14-09-300-006, located at 8225 28th Ave., Georgetown Township, Ottawa County, Michigan.

The applicant is requesting the rezoning of the 5.2 acre parcel from (RR) Rural Residential to (LMR) Low/Medium Density Residential in order to develop the land with LMR lots. In LMR, lots are allowed to have a minimum width of 70 feet and minimum area of 7,700 square feet, which is less than the LDR minimum width of 85 feet and minimum area of 11,475 square feet. Also minimum setbacks in feet in LMR are: front 30; sides (2) total of 15; rear 35, which is less than the LDR minimum setbacks of: front 40; sides 10 each; rear 40.

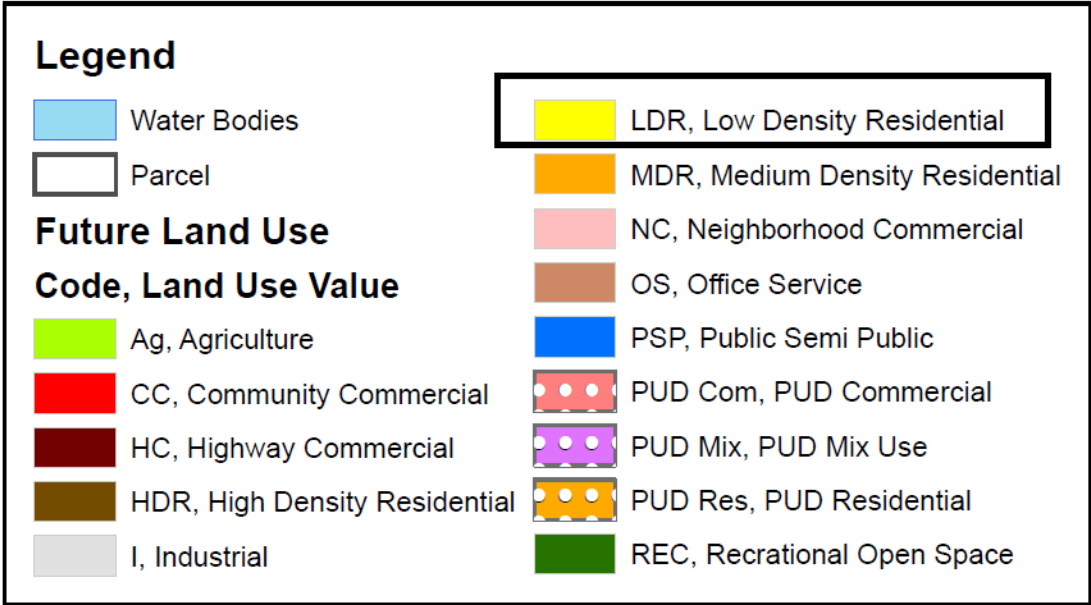


Zoning map and legend (currently zoned RR).



Legend	
Parcel	High Density (HDR)
Water Bodies	MHP, Mobile (MHP)
Zoning	
Standardized Code, Zoning Class and Code	
Planned Unit Development (PUD)	OS PUD, Planned Unit Development (PUD)
Neighborhood (NS)	RR A, Agricultural (AG)
Community (CS)	SFR A, Low Density (LD)
Highway Service Commercial HS	SFR B, Low Medium (LMR)
Planned Unit Development (PUD)	SFR PUD, Planned Unit Development (PUD)
Rural Residential (RR)	SMR A, Medium (MDR)
Industrial (I)	SMR B, Medium High (MHR)
Planned Unit Development (PUD)	SMR PUD, Planned Unit Development (PUD)

Future Land Use Map and legend.



Page 32 of the Master Plan states:

Residential Land Use Policies:

New residential development should occur contiguous to existing developed areas to ensure efficient utilization of existing utility lines, or the developer would be responsible to bring the utilities to the location.

Page 35 of the Master Plan states:

LDR-Low Density Residential

This category includes land primarily developed for detached single-family residential use in the LDR and LMR zoning districts. Residential development in this land use category is intended to be served by public water and sewer services.

Since the Future Land Use Map anticipates future urban growth in areas not currently served by public utilities, it is recognized that this growth will be contingent on expansion of utility services through main extensions.

REVIEW STANDARDS

Rezoning goes with the land, not the property owner or use. Therefore, once a parcel is zoned to a particular classification, the zoning is permanent unless changed by a subsequent rezoning action. Zoning cannot be conditional and a parcel cannot be rezoned for one specific use. Any use permitted within the zoning district is permitted on the property, provided the other applicable regulations of the Zoning Ordinance (lot sizes, setbacks, etc.) are met.

The following standards are used for consideration by the Planning Commission and Township Board in their review of the rezoning request.

- 1. Consistency:** Is the proposed zoning and all of its permitted uses consistent with the recommendations of the Township Land Use Plan?

Yes. The Future Land Use Map shows the area as LDR, which includes LMR. The language in the Master Plan states that to be zoned LDR utilities (including sewer) shall be provided and they are available to be provided.

In order to be rezoned to LDR, page 32 of the Master Plan states: “New residential development should occur contiguous to existing developed areas to ensure efficient utilization of existing utility lines, or the developer would be responsible to bring the utilities to the location.”

In order to be rezoned to LDR, page 35 of the Master Plan states: “This category includes land primarily developed for detached single-family residential use in the LDR and LMR zoning districts. Residential development in this land use category is intended to be served by public water and sewer services.”

2. **Compatibility:** Is the proposed district and all of its allowed uses compatible with the surrounding area?

Yes. The surrounding land is zoned LDR.

3. **Capability:** Is the property capable of being used for a use permitted within the existing zoning district?

Yes, it is capable of being used in the RR and LDR (including LMR) district.

4. **Other considerations:** Will the rezoning require an inordinate expenditure of public funds (road improvements, utility extension, etc.) to make the development feasible?

No.

5. **Will the rezoning cause development to “leap frog”** other undeveloped areas in the same zoning district and necessitate premature extensions of services to rural areas of the Township?

No.

6. **Is there sufficient vacant land already zoned in a specific category** (e.g., industrial, multi-family, commercial)?

Not necessarily.

7. Is the rezoning more likely to be granted if conditions could be attached (rezonings cannot be conditional)?

No.

SUMMARY

The proposed zoning designation is **determined to be consistent** with the Master plan. The area is **determined to be capable** of sustaining the uses within the LMR district. The uses allowed within the LMR district are **compatible** with the neighboring uses.

OPTION FOR MOTION

If the Planning Commission determines that the property should be rezoned to RR the following motion is provided.

Motion: To adopt the staff report as finding of facts and to recommend to the Township Board to approve the following resolution:

**Georgetown Charter Township
Ottawa County, Michigan
(Ordinance No. 2019-06)**

At a regular meeting of the Georgetown Charter Township Board held at the Township offices on _____, 2019 beginning at 7:00 p.m., Township Board Member _____ made a motion to adopt this Ordinance because the proposed zoning designation is **consistent** with the Master plan and the Future Land Use Map for the area; the area is **capable** of sustaining the uses within the LMR district without addition public funds; the uses allowed within the LMR district are **compatible** with the neighboring uses, as recommended by the Planning Commission, and to adopt the staff report as finding of fact, which motion was seconded by Township Board Member _____:

**AN AMENDMENT TO THE GEORGETOWN CHARTER TOWNSHIP
ZONING ORDINANCE, AS AMENDED, AND MAP**

THE CHARTER TOWNSHIP OF GEORGETOWN (the “Township”) ORDAINS:

ARTICLE 1. The map of the Georgetown Charter Township Zoning Ordinance, as amended, is hereby amended to read as follows:

(REZ1905) Ordinance 2019-06 To change from (RR) Rural Residential to (LMR) Low/Medium Density Residential a parcel of land described as P.P. # 70-14-09-300-006, located at 8225 28th Ave., Georgetown Township, Ottawa County, Michigan

Except as expressly modified by the above, the balance of the Zoning Map of the Georgetown Charter Township Zoning Ordinance, as amended, shall remain unchanged and in full force and effect.

ARTICLE 2. Severability. In the event that any one or more sections, provisions, phrases, or words of this Ordinance shall be found to be invalid by a court of competent jurisdiction, such holding shall not affect the validity or the enforceability of the remaining sections, provisions, phrases, or other words of this Ordinance.

ARTICLE 3. Except as specified above, the balance of the Georgetown Charter Township Zoning Ordinance, as amended, and map shall remain unchanged and in full force and effect.

ARTICLE 4. Effective Date. The provisions of this Ordinance shall take effect upon the expiration of seven (7) days from the date of publication of this Ordinance or a summary of its provisions in accordance with the law.

The vote in favor of adopting this Ordinance was as follows:

Yeas:

Nays:

Absent:

MOTION CARRIED UNANIMOUSLY AND ORDINANCE DECLARED ADOPTED.

CERTIFICATION

I hereby certify that the above is a true copy of an Ordinance adopted by Georgetown Charter Township Board at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

Dated: _____, 2019

By _____
Richard VanderKlok
Georgetown Charter Township Clerk